

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 124-844

C# M#

LEWIS et al.

Group Art Unit: 2881

Serial No. 09/786,469

Examiner: P. Gurzo

Filed: March 5, 2001

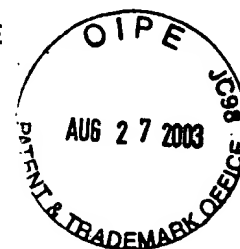
Date: August 27, 2003

Title: OPTICAL PHASE DETECTOR

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TECHNOLOGY CENTER 2800



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☒ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment **46** minus highest number
previously paid for **46** (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment **3** minus highest number
previously paid for **3** (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
SCS:kmm

NIXON & VANDERHYE P.C.
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: 

Please type a plus, sign (+) inside this box →



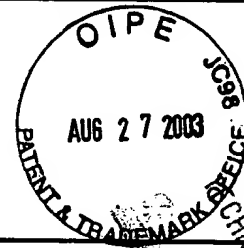
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Request for Customer Number (PTO/SB/125) submitted herewith.

in the following listed application(s) or patent(s):

| Patent Number (if appropriate) | Application Number | Patent Date (if appropriate) | U.S. Filing Date |
|-----------------------------------|--------------------|---------------------------------|---------------------|
| | 09/786,469 | | March 5, 2001 |
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Typed or
 Printed Name

Stanley C. Spooner

Signature

Date

August 27, 2003

Address of signer:

1100 North Glebe Road, 8th Floor
 Arlington, VA 22202

(check one)



Applicant or Patentee



Assignee of record of the entire
 interest. Statement under 37 C.F.R. §
 3.73(b) is enclosed. (Form
 PTO/SB/96)



Attorney or Agent of record

27,393

(Reg. No.)

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*

☒ *Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Assistant Commissioner of Patents, Box CN, Washington, DC 20231.



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In re Patent Application of

LEWIS et al.

Atty. Ref.: 124-844; Confirmation No. 1666

Appl. No. 09/786,469

Group: 2881

Filed: March 5, 2001

Examiner: P. Gurzo

For: OPTICAL PHASE DETECTOR

* * * * *

August 27, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This election of species response is responsive to the Official Action mailed July 28, 2003 (Paper No. 5), the date of response to which is August 28, 2003.

Applicants elect with traverse the identified Species II and identifies claims 27-38 and 40-42 which are believed to read on Species II.

Applicants appreciate the Examiner's indication that there are two separate inventions set forth in the outstanding Official Action and although applicants believe that the restriction requirement is improper pursuant to PCT Rule 13.1, applicants appreciate the Examiner's decision to divide this application into two separate inventions if a generic claims cannot be crafted.

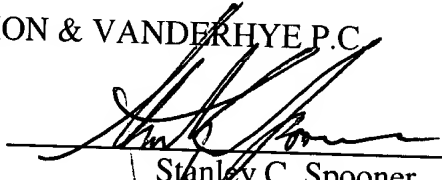
LEWIS et al.
Appl. No. 09/786,469
August 27, 2003

Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that the claims directed to elected Species II, i.e. claims 27-38 and 40-42, are in condition for allowance and notice to that effect is respectfully requested. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact applicants' undersigned representative.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Stanley C. Spooner

Reg. No. 27,393

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